

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

ARTIS WHITEHEAD)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:24-CV-02991
)	JURY DEMAND
CITY OF MEMPHIS, JAMES HOWELL,)	
TERRY LYONS, ROBERT RAGLAND,)	
JOSEPH PEARLMAN, VIVIAN MURRAY,)	
THOMAS WARRICK, TIMOTHY GREEN,)	
EDWARD BASS, ROBERT HULL, JR.,)	
JAMES BOLDEN, and UNKNOWN)	
EMPLOYEES OF THE CITY OF MEMPHIS,)	
)	
Defendants.)	

**DEFENDANT CITY OF MEMPHIS’ UNOPPOSED MOTION FOR LEAVE TO FILE
MEMORANDUM IN SUPPORT OF MOTION TO DISMISS PLAINTIFF’S
COMPLAINT IN EXCESS OF PAGE LIMIT SET BY LOCAL RULE 12.1(A)**

Defendant City of Memphis (“the City”), by and through counsel, hereby requests leave to file its Memorandum in Support of Motion to Dismiss Plaintiff’s Complaint in excess of the page limit set by Local Rule 12.1(a). Plaintiff, through counsel, has indicated that he does not oppose the relief requested by this Motion. In support, the City states as follows:

1. Plaintiff’s Complaint was filed on December 12, 2024. (ECF No. 1.)
2. The City’s response to the Complaint is due March 6, 2025, (*see* ECF No. 27), and the City intends to file a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6).
3. Local Rule 12.1(a) provides that memoranda in support of motions to dismiss shall not exceed 20 pages without prior Court approval.
4. The City seeks leave to file a 25-page memorandum in support of its Motion to Dismiss.

5. Good cause exists to support this Motion. The nature of this case, the many counts at issue, and the relevant case law, support the need for additional pages so that the City may adequately address the allegations contained in Plaintiff's Complaint.

6. Plaintiff and the City consulted through counsel regarding the relief being sought, and Plaintiff does not oppose this Motion.

The City seeks permission to file a memorandum in support of their Motion to Dismiss in excess of the page limits provided by Local Rule 12.1(a), and request that they be afforded twenty-five (25) pages in which to respond to the Complaint.

Respectfully submitted,

**BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.**

s/ Bruce McMullen

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Attorneys for Defendant City of Memphis

CERTIFICATE OF CONSULTATION

I, Bruce McMullen, hereby certify that counsel for the City contacted Plaintiff's counsel via email on February 26, 2025, regarding this Motion. On February 26, 2025, counsel for Plaintiff, Meg Gould, responded that Plaintiff does not oppose this Motion.

s/ Bruce McMullen

Bruce McMullen

CERTIFICATE OF SERVICE

I, Bruce McMullen, hereby certify that on February 28, 2025 I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, and that upon filing, such system will serve a copy of the foregoing upon all counsel of record in this action.

s/ Bruce McMullen

Bruce McMullen